IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 26TH SEPTEMBER 2007 / 4TH ASWINA 1929

Bail Appl..No. 5854 of 2007()

CRIME NO. 36/07 OF THIRUVANANTHAPURAM EXCISE RANGE
AGAINST THE JUDGEMENT/ORDER IN BA.5392/2007 Dated 07/09/2007
CMP.3020/2007 of ADDL.C.J.M.,TRIVANDRUM

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PETITIONER/A3

UNNIKRISHNAN, AGED 45,
S/O.KESAVAN NAIR, T.C.7/133, LALITHA MANDIRAM,
CHITHRA NAGAR, PANGODE, THIRUVANANTHAPURAM.

BY ADV. SRI.VAZHUTHACAUD R.NARENDRAN NAIR
SRI.R.T.PRADEEP

RESPONDENT/COMPLAINANT:

THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 26/09/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5854 of 2007

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Dated this the 26th day of September, 2007

O R D E R

Application for regular bail. The petitioner faces allegations under Section 55(g) and 58 of the Kerala Abkari Act. He was arrested on 3.8.2007. The alleged incident had taken place on 28.7.2007. An earlier application for regular bail filed by the petitioner was dismissed as per order dt. 7.9.07 in B.A. 5392 of 2007. Facts have been adverted to in detail in the said order. This order must be read in continuation of the said order. I am hence not adverting to facts in any greater detail in this order.

2. The learned counsel for the petitioner prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is given the full compliment of 60 days to complete the investigation and I am satisfied that the petitioner can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioner shall be released on bail on the following terms and conditions.

(a) The petitioner shall not be released from custody on the strength of this order prior to 1.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) He shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) He shall make himself available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of two months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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